

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

INSIGHT TRADING, LLC

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§

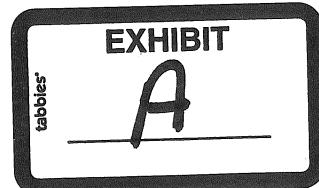
v.

C.A. No. 13-864  
ADMIRALTY

STX PAN OCEAN CO., LTD.

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IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

INSIGHT TRADING, LLC

§

v.

§

STX PAN OCEAN CO., LTD.

§

C.A. No. 13-864  
ADMIRALTY

**LIST OF COUNSEL**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

COMES NOW Defendant STX PAN OCEAN CO., LTD., in the above entitled and numbered cause of action, and provides a list of the following counsel in this matter:

Dana K. Martin  
[dmartin@hillrivkins.com](mailto:dmartin@hillrivkins.com)

Tim R. Sutherland  
[tsutherland@hillrivkins.com](mailto:tsutherland@hillrivkins.com)

HILL RIVKINS LLP  
55 Waugh Drive, Suite 1200  
Houston, Texas 77007  
Telephone: (713) 222-1515  
Facsimile: (713) 222-1359  
*Attorneys for Plaintiff*

David R. Walker  
[David.Walker@roystonlaw.com](mailto:David.Walker@roystonlaw.com)

Richard A. Branca  
[Richard.Branca@roystonlaw.com](mailto:Richard.Branca@roystonlaw.com)

ROYSTON, RAYZOR, VICKERY & WILLIAMS, L.L.P.  
Pennzoil Place  
711 Louisiana, Suite 500  
Houston, Texas 77002-2713  
Telephone: (713) 224-8380  
Facsimile: (713) 225-9945  
*Attorneys for Defendant*

EXHIBIT

tabbies®

Respectfully submitted,

/s/ Richard A. Branca

David R. Walker  
State Bar No. 20696800  
Federal ID No. 2827  
[David.Walker@roystonlaw.com](mailto:David.Walker@roystonlaw.com)  
Richard A. Branca  
Federal I.D. No. 828076  
State Bar No.: 24067177  
[Richard.Branca@roystonlaw.com](mailto:Richard.Branca@roystonlaw.com)  
Pennzoil Place  
711 Louisiana, Suite 500  
Houston, Texas 77002-2713  
Telephone: (713) 224-8380  
Facsimile: (713) 225-9945

**ATTORNEYS FOR DEFENDANT  
STX PAN OCEAN CO., LTD.**

OF COUNSEL:

ROYSTON, RAYZOR, VICKERY & WILLIAMS, L.L.P.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served upon the below listed counsel of record *via* U.S. certified mail, return receipt requested on this 27th day of March, 2013.

Dana K. Martin  
Tim R. Sutherland  
HILL RIVKINS LLP  
55 Waugh Drive, Suite 1200  
Houston, Texas 77007

/s/ Richard A. Branca  
OF ROYSTON RAYZOR VICKERY & WILLIAMS LLP

Notes Color Key: | Private | Court | Docket Sheet | [Print](#)

Case: 201310739 - 7   Status: Active - Civil Court: 133 File Dt: 2/22/2013  
Type: CONTRACT  
Style: INSIGHT TRADING LLC vs STX PAN OCEAN CO LTD

Docket Sheet Entries [Add](#) [Save/Group](#)

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2013-10739 / Court: 133

Filed 13 February 22 P12:12  
Chris Daniel - District Clerk  
Harris County  
ED101J017940820  
By: Nelson Cuero

C.A No.: \_\_\_\_\_

INSIGHT TRADING, LLC

IN THE DISTRICT COURT

Plaintiff

v.

OF HARRIS COUNTY, TEXAS

STX PAN OCEAN CO., LTD.

Defendant

JUDICIAL DISTRICT

**PLAINTIFF'S ORIGINAL PETITION**

1. COMES NOW, Insight Trading, LLC, Plaintiff herein, by and through the undersigned counsel, complaining of STX Pan Ocean Co., Ltd., Defendant herein, and for its causes of action would show the Court as follows, upon information and belief:

**A.**  
**DISCOVERY LEVEL**

2. Plaintiff intends that discovery be conducted under Level 1 and affirmatively pleads that it seeks monetary relief aggregating less than \$100,000.00.

**B.**  
**PARTIES**

3. Plaintiff, Insight Trading, LLC, ("Insight"), is a Delaware limited liability company or other business entity, with its principal place of business in Houston, and a certificate of authority to do business in Texas, which is a international steel trader which regularly purchases and sells steel cargoes which are delivered by ocean vessel and inland conveyance to and from the United States and Texas.

4. Defendant, STX Pan Ocean Co., Ltd., ("STX") is a foreign corporation, or similar entity, which regularly does business in Texas and/or the United States as a common carrier of goods,

which maintains a registered agent in Texas upon whom service may be made, and thus may be served through its registered agent, Corporation Service Company dba CSC – Lawyers Inc, 211 E. 7<sup>th</sup> Street, Suite 620, Austin, Texas 78701.

**JURISDICTION & VENUE**

5. This court has subject-matter jurisdiction as the amount in controversy exceeds \$500.00 and the causes of action do not fall within the exclusive jurisdiction of any other court of this state. Venue is proper in Harris county, pursuant to Section 15.002(a)(1) of the Texas Civil Practice & Remedies Code, because Harris County is where all or a substantial part of the events giving rise to this claim occurred.

**D.**

**CAUSE 1 - UNITED STATES CARRIAGE OF GOODS BY SEA ACT**

6. At and during all the times hereinafter mentioned, STX was, and now is, engaged in business as a common carrier of merchandise by water for hire, and owned, operated, managed, chartered and/or controlled the M/V Nan Hai which carried the cargo in question from Manila, Philippines to Houston, Texas.

7. On or about November 14, 2011, and at the port of Manila, Philippines there was delivered to the M/V Nan Hai, and STX, in good order and condition, a shipment of steel pipe ("cargo") which STX received, accepted and agreed to load, stow, carry, discharge and deliver, for certain consideration, to the Port of Houston, Texas.

8. At the Port of Manila, Philippines, STX and/or its subcontracted agents and Supercargo(s) or Port Captain(s), negligently loaded the cargo, causing it physical damage, and loading the cargo in such a fashion which would not provide for the cargo to withstand the normal rigors of the contemplated sea transit. This negligence caused, and/or contributed to, the damages found to have occurred to Plaintiff's cargo when the vessel arrived in Houston.

9. Thereafter, the said vessel arrived at the Port of Houston, where the cargo was delivered damaged by water, seawater and/or physically damaged. On information and belief, STX negligently supervised the handling of Plaintiff's cargo, and/or improperly and unreasonably stowed Plaintiff's steel pipe cargo, causing it to be physically damaged, and contributing to the cargo damages found to have occurred when the cargo arrived in Houston.

10. By reason of the premises, STX breached, failed and violated its duties and obligations as a common carrier, and as a cargo loading, stowage, discharge, and delivery supervisor, and was otherwise at fault.

**E.**  
**CAUSE 2 - BAILMENT**

11. Plaintiff reiterates all paragraphs above as if completely restated herein. Plaintiff further alleges, in the alternative and without waiving the above cause of action, that STX was a bailee of the plaintiff's cargo of steel pipes, before, and/or after, the cargo's delivery to STX at the Port of Manila, Philippines for carriage to Houston, Texas. The bailment for mutual benefit between the plaintiff/cargo interests and the defendants was made express by oral contract, written contract, the bills of lading, or alternatively, was an implied contract.

12. The defendant delivered the cargo in a damaged condition which did not exist at the time of the plaintiff's/bailor's delivery to the bailee, and STX breached its duties and obligations as a bailee and was negligent.

**F.**  
**DAMAGES**

13. Despite the fact that plaintiff gave notice of the claim to defendant and demanded payment, and despite the fact that all conditions precedent have been performed or have occurred, no payment has been made by the defendant and the plaintiffs have been damaged in the sum of EIGHTY-FIVE THOUSAND FOUR HUNDRED SIXTY-SEVEN AND 86/100 DOLLARS (\$85,467.86).

**G.**  
**ATTORNEY'S FEES**

14. Plaintiff, by its duly authorized representatives, presented its claim for the said damages to defendants and their duly authorized agents, more than thirty (30) days ago, but the said claim has not been paid or satisfied. Plaintiff has incurred, and will incur, in the prosecution of its claim, and of this suit, reasonable attorneys' fees in the amount of \$10,000 for which demand is made under Chapter 38 of the Tex. Civ. Practice & Rem. Code.

**H.**  
**JURY DEMAND**

15. Plaintiffs demand a "jury trial" and tender the appropriate fee with this petition.

**I.**  
**CONDITIONS PRECEDENT**

16. Plaintiff has duly performed all duties and obligations on its part to be performed.

**J.**  
**REQUESTS FOR DISCLOSURE**

17. Pursuant to Tex. R. Civ. P. 194, plaintiffs request that defendant disclose, within fifty (50) days of the date of service of this request, the information or material described in Rule 194.2(a-1).

**K.**  
**REAL PARTIES IN INTEREST**

18. Plaintiff was the consignee or owner of the shipment, as described in Schedule A, and, brings this action on its own behalf and, as agent and trustee, on behalf of, and for, the interest of all parties who may be, or become, interested in the said shipment, as their respective interests may ultimately appear, and plaintiff is entitled to maintain this action.

L.  
PRAYER

19. For these reasons, plaintiff asks that the court: a) issue citation for defendant to appear and answer, that plaintiff be awarded: b) a judgment against defendant in the principal amount of \$85,467.86, c) prejudgment and post-judgment interest at the maximum legal rate, d) reasonable and necessary attorney's fees, including those for any appeals, and e) all costs of court; and f) for such other and further relief, both at law and in equity, to which plaintiff may show itself to be justly entitled.

Respectfully submitted,



DANA K. MARTIN  
Texas Bar No. 13057830  
TIM R. SUTHERLAND  
Texas Bar No. 24079824  
55 Waugh Drive, Suite 1200  
Houston, Texas 77007  
HILL RIVKINS LLP  
Telephone: (713) 222-1515  
Direct Line: (713) 457-2287  
Telefax: (713) 222-1359  
e-mail: dmartin@hillrivkins.com

ATTORNEYS FOR PLAINTIFF  
INSIGHT TRADING, LLC



I, Chris Daniel, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.  
Witness my official hand and seal of office this February 22, 2013

Certified Document Number: 54813851 Total Pages: 5

Chris Daniel, DISTRICT CLERK  
HARRIS COUNTY, TEXAS

In accordance with Texas Government Code 406.013 electronically transmitted authenticated documents are valid. If there is a question regarding the validity of this document and or seal please e-mail [support@hcdistrictclerk.com](mailto:support@hcdistrictclerk.com)



CHRIS DANIEL  
HARRIS COUNTY DISTRICT CLERK

RECORDER'S MEMORANDUM  
This instrument is of poor quality  
at the time of imaging

## CIVIL PROCESS PICK-UP FOR

2013 10739

CAUSE NUMBER: \_\_\_\_\_

ATY 

CIV \_\_\_\_\_

COURT 

REQUESTING ATTORNEY/FIRM NOTIFICATION	
Attorney:	Timothy Russell Sutherland
Phone:	713 222 1515
Civil Process Server/Piler:	Grace Solis
Phone:	713 497 2291
Attorney/Firm Notified Service Ready:	February 27, 2013
Contacted By:	Nelson Cuero Deputy District Clerk
30 <sup>th</sup> day after date of issuance <u>03-29-2013</u>	

Type of Service Document: CITCTracking number: 72877672

Type of Service Document: \_\_\_\_\_

Tracking number: \_\_\_\_\_

The above process papers were prepared by: Nelson Cuero

Deputy District Clerk

EXHIBIT

4

On this the 27th day of February 2013,Process papers released to: Ray Flores

Process papers released by: \_\_\_\_\_

On this the 27 day of Feb, 2013 at 1207 AM/PM



CHRIS DANIEL  
HARRIS COUNTY DISTRICT CLERK

RECORDER'S MEMORANDUM  
This instrument is of poor quality  
at the time of imaging

## CIVIL PROCESS PICK-UP FOR.

2013 10739

CAUSE NUMBER: \_\_\_\_\_

ATY 

CIV \_\_\_\_\_

COURT  N<sup>o</sup> 3

REQUESTING ATTORNEY/FIRM NOTIFICATION	
Attorney:	Timothy Russell Sutherland
Civil Process Server/Filer:	Grace Solis
Attorney/Firm Notified Service Ready:	_____
Contacted By:	Nelson Cuero Deputy District Clerk
30 <sup>th</sup> day after date of issuance <u>03-29-2013</u>	

Type of Service Document: CITCTracking number: 72877672

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Tracking number: \_\_\_\_\_

The above process papers were prepared by: Nelson Cuero

Deputy District Clerk

On this the 27th day of February 2013,Process papers released to: Ray Flores

Process papers released by: \_\_\_\_\_

On this the 27 day of Feb, 2013 at 1207 AM/PM

**AFFIDAVIT OF SERVICE**

State of Texas

County of Harris

133rd Judicial District Court

Case Number: 2013-10739

Plaintiff:

Insight Trading, LLC

vs.

Defendant:

STX Pan Ocean Co Ltd.

For:

Hill Rivkins LLP  
55 Waugh Drive  
Suite 1200  
Houston, TX 77007

Received by Austin Process LLC on the 4th day of March, 2013 at 12:09 pm to be served on **STX Pan Ocean Co Ltd** by **serving its registered agent, Corporation Service Company, 211 E. 7th Street, Ste. 620, Austin, TX 78701**.

I, Mike Techow, being duly sworn, depose and say that on the **5th day of March, 2013** at **2:40 pm**, I:

delivered to **REGISTERED AGENT** by delivering a true copy of the **Citation and Plaintiff's Original Petition** with the date of service endorsed thereon by me, to: **Kelly Courtney, Corporation Service Company as Registered Agent** at the address of: **211 E. 7th Street, Ste. 620, Austin, TX 78701** on behalf of **STX Pan Ocean Co Ltd**, and informed said person of the contents therein, in compliance with state statutes.

I certify that I am over the age of 18, of sound mind, have no interest in the above action, and am a Certified Process Server, in good standing, in the judicial circuit in which the process was delivered. The facts stated in this affidavit are within my personal knowledge and are true and correct.



Mike Techow  
SCH-1215, Exp. 7/31/14

Austin Process LLC  
809 Nueces  
Austin, TX 78701  
(512) 480-8071

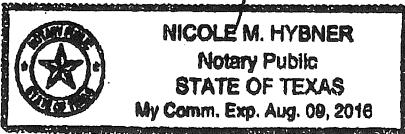
EXHIBIT

5

Subscribed and Sworn to before me on the 5th day of March, 2013 by the affiant who is personally known to me.



NOTARY PUBLIC



Our Job Serial Number: MST-2013000946  
Ref: Insight Trading LLC

No. 2013-10739

INSIGHT TRADING, LLC

vs.

STX PAN OCEAN CO., LTD.

IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

133RD JUDICIAL DISTRICT

**NOTICE OF INTENTION  
TO TAKE DEPOSITION BY WRITTEN QUESTIONS**

To by and through their attorney(s) of record:

To other party/parties by and through their attorney(s) of record:

You will please take notice that twenty (20) days from the service of a copy hereof with attached questions, a deposition by written questions will be taken of Custodian of Records for:

**MARITECH COMMERCIAL, INC. (Any & All Records)**  
1606 CLINTON DRIVE, 2ND FLOOR  
GALENA PARK, TX 77547

**FILED**  
Chris Daniel  
District Clerk

MAR 11 2013

before a Notary Public for      **Republic Services, Inc.**  
4202 Sherwood  
Houston, TX 77092  
713-957-0094 Fax 713-957-0540

Time: \_\_\_\_\_  
By \_\_\_\_\_  
Harris County, Texas  
Deputy \_\_\_\_\_

or its designated agent, which deposition with attached questions may be used in evidence upon the trial of the above-styled and numbered cause pending in the above named court. Notice is further given that request is hereby made as authorized under Rule 200, Texas Rules of Civil Procedure, to the officer taking this deposition to issue a subpoena duces tecum and cause it to be served on the witness to produce any and all records as described on the attached questions and/or Exhibit(s) and any other such record in the possession, custody or control of the said witness, and every such record to which the witness may have access, pertaining to:

**EXHIBIT A**

and to turn all such records over to the officer authorized to take this deposition so that photographic reproductions of the same may be made and attached to said deposition.

Dana K. Martin  
Hill Rivkins LLP  
55 Waugh Drive, Suite 1200  
Houston, TX 77007  
713-222-1515 Fax 713-222-1359  
Attorney for Plaintiff  
SBA # 13057830

I hereby certify that a true and correct copy of the foregoing instrument has been forwarded to all Counsel of Record by hand delivery, FAX, and/or certified mail, return receipt requested, on this day.

Dated: 2/28/13  
Order No. 65195

2013 MAR 11 PM 1:31

NO FEE FILING-C

**RECORDER'S MEMORANDUM**  
This instrument is of poor quality  
at the time of imaging



No. 2013-10739

INSIGHT TRADING, LLC

IN THE DISTRICT COURT OF

vs.

HARRIS COUNTY, TEXAS

STX PAN OCEAN CO., LTD.

133RD JUDICIAL DISTRICT

**DIRECT QUESTIONS TO BE PROPOUNDED TO THE WITNESS**

Custodian of Records for: MARITECH COMMERCIAL, INC.

Records Pertaining To: EXHIBIT A

Type of Records: Any and all records as described on the attached Exhibit A

1. State your full name, address and occupation.

Answer: \_\_\_\_\_

2. Are you able to identify these records as the originals or true and correct copies of the originals?

Answer: \_\_\_\_\_

3. Were these records made and kept in the regular course of business?

Answer: \_\_\_\_\_

4. In the regular course of business, did the person who signed or otherwise prepared these records either have personal knowledge of the entries on these records or obtain the information from sources who have such personal knowledge to make such records?

Answer: \_\_\_\_\_

5. Are these records under your care, supervision, directions, custody or control?

Answer: \_\_\_\_\_

6. Are these records made at a time closely related to or simultaneous with the occurrence recorded on these records?

Answer: \_\_\_\_\_

Order No. 65195.002

7. Were these records kept as described in the previous questions?

Answer: \_\_\_\_\_

8. Please gather any and all of such records together and deliver same to the officer taking your deposition for inspection and photocopying. (This will be at no expense to you, and the officer will return the original records to you after they have been both inspected and copied.) Have you done as requested? If not, why not? 

Answer: 

**WITNESS (Custodian of Records)**

SWORN TO AND SUBSCRIBED before me this  day of \_\_\_\_\_, 20\_\_\_\_\_.  
*[Signature]*

---

**NOTARY PUBLIC**

My Commission Expires: \_\_\_\_\_

Order No. 65195.002

ords kept as described in the previous questions?

ny and all of such records together and deliver same to the officer taking your deposition for inspection and (This will be at no expense to you, and the officer will return the original records to you after they have been and copied.) Have you done as requested? If not, why not?

**WITNESS (Custodian of Records)**

, the undersigned authority, on this day personally appeared \_\_\_\_\_ the person whose name is subscribed to the foregoing instrument in the capacity therein stated, who being first upon his/her oath that the answers to the foregoing questions are true and correct. I further certify that the aforesaid are exact duplicates of the original records.

TO AND SUBSCRIBED before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
 NOTARY PUBLIC  
 My Commission Expires: \_\_\_\_\_

Order No. 65195.002

**EXHIBIT "A"**

1. All survey reports concerning the discharge of the M/V Nan Hai on Nov. 14-21, 2011, and
2. Maritech Commercial's entire file concerning the discharge and delivery of the cargo from the M/V Nan Hai on Nov. 14-21, 2011, including copies of all color photographs in the file.
3. Any discharge reports and/or dock delivery receipts concerning the discharge and delivery of the cargo from the M/V Nan Hai on Nov. 14-21, 2011, including copies of all color photographs in the file.
4. All notes of protest and/or damage notifications filed by anyone concerning the cargoes discharged from the M/V Nan Hai on Nov. 14-21, 2011.
5. All communications between Maritech Commercial, Inc. and the vessel's P&I club, concerning the condition of the cargoes aboard the M/V Nan Hai upon discharge and delivery to the dock in Houston, Texas in November 2011.
6. All follow-up damage surveys concerning alleged damage to the Insight Trading cargo discharged from the M/V Nan Hai from Nov. 14, 2011 to the present, including copies of all color photographs in the file.

Unofficial Copy Office of Chris Daniel District Clerk

No. 2013-10739

## INSIGHT TRADING, LLC

**IN THE DISTRICT COURT OF**

vs.

## HARRIS COUNTY, TEXAS

## STX PAN OCEAN CO., LTD.

## 133RD JUDICIAL DISTRICT

**NOTICE OF INTENTION  
TO TAKE DEPOSITION BY WRITTEN QUESTIONS**

To by and through their attorney(s) of record:

To other party/parties by and through their attorney(s) of record.

You will please take notice that twenty (20) days from the service of a copy hereof with attached questions, a deposition by written questions will be taken of Custodian of Records for:

**CAMPANA MARINE SERVICE, LLC (Any & All Records)  
7009 ALMEDA ROAD, SUITE 1811  
HOUSTON, TX 77054**

before a Notary Public for **Republic Services, Inc.**  
**4202 Sherwood**  
**Houston, TX 77092**  
**713-957-0094 Fax 71**

or its designated agent, which deposition with attached questions may be used in evidence upon the trial of the above-styled and numbered cause pending in the above named court. Notice is further given that request is hereby made as authorized under Rule 200, Texas Rules of Civil Procedure, to the officer taking this deposition to issue a subpoena duces tecum and cause it to be served on the witness to produce any and all records as described on the attached questions and/or Exhibit(s) and any other such record in the possession, custody or control of the said witness, and every such record to which the witness may have access, pertaining to:

## EXHIBIT A

and to turn all such records over to the officer authorized to take this deposition so that photographic reproductions of the same may be made and attached to said deposition.

**Dana K. Martin  
Hill Rivkins LLP  
55 Waugh Drive, Suite 1200  
Houston, TX 77007  
713-222-1515 Fax 713-222-1359  
Attorney for Plaintiff  
SBA # 13057830**

I hereby certify that a true and correct copy of the foregoing instrument has been forwarded to all Counsel of Record by hand delivery, FAX, and/or certified mail, return receipt requested, on this day.

Dated: 2/28/13 FILED  
CHRIS DANIEL  
DISTRICT CLERK  
FAX: (515) 286-5754

by Abelita Catts

2013 MAR 11 PM 1:31

**NO FEE FILING-C**

No. 2013-10739

INSIGHT TRADING, LLC

IN THE DISTRICT COURT OF

vs.

HARRIS COUNTY, TEXAS

STX PAN OCEAN CO., LTD.

133RD JUDICIAL DISTRICT

**DIRECT QUESTIONS TO BE PROPOUNDED TO THE WITNESS**

Custodian of Records for: CAMPANA MARINE SERVICE, LLC

Records Pertaining To: EXHIBIT A

Type of Records: Any and all records as described on the attached Exhibit A'

1. State your full name, address and occupation.

Answer: \_\_\_\_\_

2. Are you able to identify these records as the originals or true and correct copies of the originals?

Answer: \_\_\_\_\_

3. Were these records made and kept in the regular course of business?

Answer: \_\_\_\_\_

4. In the regular course of business, did the person who signed or otherwise prepared these records either have personal knowledge of the entries on these records or obtain the information from sources who have such personal knowledge to make such records?

Answer: \_\_\_\_\_

5. Are these records under your care, supervision, directions, custody or control?

Answer: \_\_\_\_\_

6. Are these records made at a time closely related to or simultaneous with the occurrence recorded on these records?

Answer: \_\_\_\_\_

Order No. 65195.001

7. Were these records kept as described in the previous questions?

Answer: \_\_\_\_\_

8. Please gather any and all of such records together and deliver same to the officer taking your deposition for inspection and photocopying. (This will be at no expense to you, and the officer will return the original records to you after they have been both inspected and copied.) Have you done as requested? If not, why not?

Answer: \_\_\_\_\_

WITNESS (Custodian of Records)

Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument in the capacity therein stated, who being first duly sworn, stated upon his/her oath that the answers to the foregoing questions are true and correct. I further certify that the records attached hereto are exact duplicates of the original records.

SWORN TO AND SUBSCRIBED before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.  
*Chris Denier District Clerk*

NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

Order No. 65195.001

*Unofficial Copy Office of Chris Denier District Clerk*

**EXHIBIT "A"**

1. All survey reports concerning the discharge of the M/V Nan Hai on Nov. 14-21, 2011, and
2. Campana Marine Service's entire file concerning the discharge and delivery of the cargo from the M/V Nan Hai on Nov. 14-21, 2011, including copies of all color photographs in the file.
3. Any discharge reports and/or dock delivery receipts concerning the discharge and delivery of the cargo from the M/V Nan Hai on Nov. 14-21, 2011, including copies of all color photographs in the file.
4. All notes of protest and/or damage notifications filed by anyone concerning the cargoes discharged from the M/V Nan Hai on Nov. 14-21, 2011.
5. All communications between Campana Marine Service and the vessel's interests, concerning the condition of the cargoes aboard the M/V Nan Hai upon discharge and delivery to the dock in Houston, Texas in November 2011.
6. All follow-up damage surveys concerning alleged damage to the Insight Trading cargo discharged from the M/V Nan Hai from Nov. 14, 2011 to the present, including copies of all color photographs in the file.